

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed January 7, 2010. At the time of the Office Action, claims 16-30 were pending in this Application. Claims 16-30 were rejected. Claims 1-15 were previously cancelled without prejudice or disclaimer. Claims 16, 19, 23, 26, and 30 have been amended. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 112

Claims 16-30 were rejected by the Examiner under 35 U.S.C. § 112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended independent claims 16, 23, and 30 to clarify the claimed polling function.

Applicants believe that the claims, as amended, satisfy 35 U.S.C. § 112, second paragraph and respectfully request full allowance of Claims 16, 23, and 30 as amended, as well as dependent Claims 17-22 and 24-29, which depend from Claims 16 and 23, respectively.

Rejections under 35 U.S.C. § 103

Claims 16-17, 19, 23-24, 26, and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0043791 filed by Gautam G. Reddy (“*Reddy*”) in view of U.S. Patent No. 6,078,811 issued to Yi-Bing Lin et al. (“*Lin*”).

Claims 18 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Reddy* in view of *Lin* and further in view of U.S. Patent No. 6,556,820 issued to Khiem Le et al. (“*Le*”).

Claims 20-22 and 27-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Reddy* in view of *Lin* and further in view of 3GPP TS 31.111 version 4.5.0 Release 4, 2001-12 (“*3GPP*”).

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580

(C.C.P.A. 1974). Here, the cited references fail to teach or suggest each and every claimed feature. For example, independent Claim 16 recites:

polling the terminal station, by a universal chip card installed in the terminal station, for specific subscriber data of the wireless local network for the logical connection.

Independent Claims 23 and 30 have similar features.

Thus, Applicants' invention focuses on the control and coordination provided by the universal chip card (e.g., a SIM card) over the wireless local area network (WLAN). This control and coordination by the universal chip card allows that card to coordinate services that may be provided over either the WLAN or over the UTMS system. For example, a voice call may be initiated as a voice over Internet Protocol (VOIP) call while the WLAN is available, but may be transferred to the UTMS system as a cellular call if the WLAN becomes unstable or unreachable. The universal chip card is able to coordinate all of this activity using the data gathered by ***polling the terminal station***.

Applicants respectfully submit that none of the references—*Reddy* and *Lin*—either alone or in combination, teach this inventive feature of Applicants' claims. As for the first reference, the Examiner appropriately concedes that *Reddy* does not teach or suggest all of the quoted claim requirements. Office Action at 8 (stating that *Reddy* “is silent on, ‘parts for polling specific subscriber data of the wireless local network for the logical connection.’”). Further, *Lin* does not disclose the above cited feature. The Examiner points to a protocol involving interaction between mobile device u_1 and visitor location registrar VLVR2. However, nowhere in *Lin* is there a teaching or suggestion for any sort of polling, much less ***polling the terminal station, by a universal chip card installed in the terminal station***. The cited portion of *Lin* discusses a request and acknowledgement sequence, but does not teach or suggest any kind of polling, and certainly doesn't teach or suggest polling performed by a universal chip.

Thus, Applicants believe that independent Claims 16, 23, and 30, as amended, are patentable over the cited art and request allowance of those claims as well as dependent claims 17–22 and 24–29, which depend from Claims 16 and 23, respectfully.

ATTORNEY DOCKET
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PATENT APPLICATION
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CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicant respectfully submits a Petition for One-Month Extension of Time. The Commissioner is authorized to charge the fee of \$130.00 required to Deposit Account 50-4871 in order to effectuate this filing.

Applicant believes there are no other fees due at this time. However, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-4871 of King & Spalding L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512-457-2031.

Respectfully submitted,
KING & SPALDING LLP
Attorney for Applicants



Truman H. Fenton
Registration No. 64,766

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SEND CORRESPONDENCE TO:

KING & SPALDING L.L.P.
CUSTOMER ACCOUNT NO. **86528**
512-457-2031
512-457-2100 (fax)